

BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION

OPEN MEETINGS POLICY

Section 1 Purpose and scope:

- (a) Meetings of the Corporation will be conducted in compliance with the New York Open Meetings Law.
- (b) The people's right to witness and observe the governmental decision-making process in action is basic to our society. Access to public portions of meetings of public bodies must be protected and maintained.
- (c) We adopt these guidelines in order to provide direction concerning the procedures by which public meetings of this public body may be photographed, recorded and broadcast.

Section 2 Recording and Broadcasting Public Portions of Meetings:

- (a) The public portion of any meeting of the Corporation may be photographed, recorded and broadcast.
- (b) The Corporation may adopt reasonable rules governing the location of equipment and personnel used to photograph, record or broadcast the public portion of a meeting in order to ensure that the use of such equipment does not detract from or interfere with the deliberative process.
- (c) There is no privacy interest in statements made during public portions of meetings of the Corporation. Distaste or embarrassment shall not constitute a basis for prohibiting or limiting the photographing, recording or broadcasting of those present at a meeting.

Section 3 Rules for Recording and Broadcasting Public Portions of Meetings:

- (a) Operation of equipment to photograph, record or broadcast a meeting is permitted unless it is obtrusive, disruptive, or interferes with the deliberative process or the right of persons in attendance to observe or listen to the proceedings.
- (b) Use of equipment necessary to photograph, record or broadcast is permitted without notice to or express permission from the Corporation or those in attendance at the meeting.
- (c) Use of equipment necessary to photograph, record or broadcast is permitted in a supervised or unsupervised manner.
- (d) Use of special lighting or large equipment necessary to photograph, record or broadcast a meeting is permitted unless it is obtrusive or disruptive.
- (e) Personnel who operate equipment necessary to photograph, record and/or broadcast a meeting shall be permitted to move about the room, as long as such movement does not disrupt or interfere with the deliberative process.
- (f) Use of equipment necessary to photograph, record and/or broadcast a meeting shall not be limited to a location from which such equipment is not reasonably capable of photographing, recording and/or broadcasting.
- (g) Persons operating equipment necessary to photograph, record and/or broadcast shall be given a reasonable opportunity to modify their actions in order to avoid interference with the deliberative process.

Section 4 Public notice:

Public notice of the time and place of all regularly scheduled meetings of the Corporation shall be provided to the media at least one week prior thereto and posted in a public place or on the Corporation's website at least seventy-two hours before such meeting. Notwithstanding the foregoing, the Corporation may provide to the media and post on the Corporation's website a schedule of all regular meetings.

Public notice of the time and place of special meetings of the Corporation shall be provided to the media and posted in a public place or on the Corporation's website, to the extent possible, twenty-four (24) hours or prior to such meeting.

These rules governing the operation of equipment necessary to photograph, record or broadcast a meeting shall be posted in a designated location. Written copies of such rules shall be provided upon request, free of charge, to those in attendance at or who seek to attend a meeting.

Section 5 Records:

Corporation records available to the public pursuant to the New York Freedom of Information Law, that are scheduled to be the subject of discussion by the Corporation during an open meeting shall be made available, upon request therefor, to the extent practicable as determined by the Corporation, prior to or at the meeting during which the records will be discussed. Copies of such records may be made available for a reasonable fee, determined in the same manner as provided in the Corporation's Freedom of Information Policy. To the extent practicable as determined by Corporation such records shall be posted on the Corporation's website.

Section 6 Severability:

If any provision of these guidelines or the application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or impair the validity of the other provisions of these regulations or the application thereof to other persons and circumstances.